

## Article L: Definitions

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### Sec. 9-1-220 Definitions.

- (a) For purposes of this Chapter certain terms or words herein shall be interpreted as follows:
  - (1) Words used in the present tense include the future tense. The singular includes the plural.
  - (2) The word "person" includes an individual, all partnerships, associations, and bodies politic and corporate.
  - (3) The word "lot" includes the word "plot" or "parcel."
  - (4) The term "shall" is always mandatory.
  - (5) The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied."
- (b) The following definitions shall be applicable in this Chapter:
  - (1) **Accessory Structure or Use.** A detached subordinate structure or a use which is clearly incidental to, and customarily found in connection with, the principal structure or use to which it is related, and which is located on the same lot as the principal structure or use.
  - (2) **Boathouse.** Any structure located on the same lot as the principal building and used for protecting or storing of boats used for non-commercial purposes in conjunction with a residence.
  - (3) **Building.** Any structure used, designed or intended for the protection, shelter, or roofed enclosure of persons, animals, or property.
  - (4) **Building, Height of.** The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs.
  - (5) **Camping Ground.** A parcel of land used or intended to be used, let or rented for occupancy by campers or for occupancy by or of trailers, tents or movable or temporary dwellings, rooms or sleeping quarters of any kind.
  - (6) **Conditional Use.** A use which is permitted by this Chapter provided that certain conditions specified in this Chapter are met and that a permit is granted by the Board of Adjustment or, where appropriate, the Zoning Committee or County Board.
  - (7) **County Zoning Agency.** A committee or commission created or designated by the County Board under Sec. 59.97(2)(s), Wis. Stats., to act in all matters pertaining to County planning and zoning.
  - (8) **Department.** The Department of Natural Resources.
  - (9) **Drainage System.** One (1) or more artificial ditches, tile drains or similar devices which collect surface runoff or ground water and convey it to a point of discharge.
  - (10) **Dwelling.** A building designed or used exclusively as the living quarters for one (1) or more families.

- (11) **Dwelling, Multi-Family.** A dwelling or group of dwellings on one (1) plot containing separate living units for one (1) or more families, but which may have joint services or facilities or both.
- (12) **Essential Services.** Services provided by public and private utilities, necessary for the exercise of the principal use or service of the principal structure. These services include underground, surface, or overhead gas, electrical, steam, water, sanitary sewage, storm water drainage, and communication systems and accessories thereto, such as poles, towers, wires, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations, and hydrants, but not including buildings.
- (13) **Family.** One (1) or more persons living, sleeping, cooking and eating on the same premises as a single housekeeping unit.
- (14) **Farming, General.** The production of field or truck crops, or the raising of livestock and livestock products for commercial gain.
- (15) **Floodplain.** The land which has been or may be hereafter covered by flood water during the regional flood. The floodplain includes the floodway and the flood fringe as those terms are defined in Chapter NR116, Wis. Adm. Code.
- (16) **Home Occupation.** A gainful occupation conducted by a member of the family, within his or her place of residence, where the space used is incidental to residential use and no article is sold or offered for sale except such as is produced by such home occupation.
- (17) **Hospital.** Unless otherwise specified, the term "hospital" shall be deemed to include sanitarium, sanatorium, preventorium, clinic, rest home, nursing home, convalescent home and any other place for the diagnosis, treatment or other care of ailments, and shall be deemed to be limited to places for the diagnosis, treatment or other care of human ailments.
- (18) **Junk or Salvage Yard.** Either:
  - a. A lot, land, or structure, or any part thereof; used for the collecting or storage; or for the sale of waste paper, rags, scrap metals, or discarded material; or for the abandoning, collecting, dismantling, storage and salvaging, or for the sale of parts of motor driven vehicles.
  - b. Three (3) or more unlicensed motor vehicles stored on any land or lot.
- (19) **Lot.** A parcel of land occupied or capable of being occupied by one (1) building and the accessory buildings or uses customarily incident to it, including such open spaces as are required by this Chapter.
- (20) **Lot, Depth of.** A mean horizontal distance between the front and rear Lot lines, measured in the general direction of it's side Lot lines.\*\*
- (21) **Lot, Width of.** The mean width measured at right angles to it's depth provided however the front yard and set-back width of the Lot shall, at all points along it's depth, meet the minimum Lot requirements of the Zoning Schedule.\*\*
- (22) **Lot Lines.** Any line dividing one (1) lot from another.
- (23) **Major Recreational Equipment.** Includes travel trailer, pickup campers, or coaches, motorized dwellings, tent trailers, boat and boat trailer, snowmobiles and snowmobile trailers and the like.
- (24) **Mobile Home.** Any structure originally designed to be capable of transportation by any motor vehicle upon public highway which does not require substantial on-site fabrication; which is intended for occupancy as a year-round residence.

(20) & (21) Amended at the Iron County Board Meeting held on 9/21/94. Resolution #2113. Subsequently corrected at the Iron County Board Meeting held on 4/18/95.

(25) **Navigable Water.**

- a. Lake Superior, Lake Michigan, all natural inland lakes within Wisconsin and all streams, ponds, sloughs, flowages and other waters within the territorial limits of this State, including the Wisconsin portion of boundary waters, which are navigable under the laws of this State.
- b. Under Sec. 144.26(2)(d), Wis. Stats., notwithstanding any other provision of law or administrative rule promulgated thereunder, shoreland ordinances required under Sec. 59.971, Wis. Stats., and Ch. NR115, Wis. Adm. Code, do not apply to lands adjacent to farm drainage ditches, if:
  1. Such lands are not adjacent to a natural navigable stream or river;
  2. Those parts of such drainage ditches adjacent to such lands where not navigable streams before ditching; and
  3. Such lands are maintained in nonstructural agricultural use.

(26) **Nonconforming Use.** A building, structure or use of land existing at the time of enactment of this Chapter, and which does not conform to the regulations of the district or zone in which it is situated.

(27) **Ordinary Highwater Mark** The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristics.

(28) **Regional Flood.** A flood determined to be representative of large floods known to have generally occurred in Wisconsin and which may be expected to occur on a particular stream because of like physical characteristics, once in every one hundred (100) years.

(29) **Shorelands.** Lands within the following distances from the ordinary highwater mark of navigable waters: one thousand (1,000) feet from a lake, pond or flowage; and three hundred (300) feet from a river or stream or to the landward side of the floodplain, whichever distance is greater.

(30) **Shoreland-Wetland Zoning District.** The zoning district, created as a part of this Shoreland Zoning Ordinance, comprised of shorelands that are designated as wetlands on the wetland maps which have been adopted and made a part of this Chapter.

(31) **Sign.** A sign is any structure or natural object or part thereof or device attached thereto or printed or represented thereon which is intended to attract attention to any object, product, place, activity, person, institution, organization, or business, or which shall display or include any letter, word, model, banner, flag, pennant, insignia, device, or representation used as or which is in the nature of an announcement, direction, or advertisement.

(32) **Structure.** Any physical thing or appurtenance attached to, placed upon, or erected upon real estate, including but not limited to buildings, satellite television antennas, radio antennas, or commercial fuel tanks over five hundred (500) gallons, gasoline or diesel pumps, which are placed upon said real estate by the owner, occupant, or their agents, with the intention that such physical thing remain either permanently or temporarily attached to or placed upon such real estate.

- (33) **Trailer.** A portable vehicle designed and used for temporary sleeping purposes while its occupants are engaged in the pastime of camping.
- (34) **Unnecessary Hardship.** The circumstances where special conditions, which were not self-created, affect a particular property and make strict conformity with restrictions governing area, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of this Ordinance.
- (35) **Use.** The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.
- (36) **Variance.** An authorization granted by the Board of Adjustment to construct, alter or use a building or structure in a manner that deviates from the dimensional standards of this Chapter.
- (37) **Wetlands.** Those areas where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions.
- (38) **Yard, Front.** An open unoccupied space on the same lot with the building between the front line of the building between the front line of the lot and extending the full width of the lot.
- (39) **Yard, Rear.** An open unoccupied space on the same lot with the building between the rear line of the building and the rear line of the lot and extending the full width of the lot.
- (40) **Yard, Side.** An open unoccupied space on the same lot with the building situated between the building and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line.